

REMARKS

Claims 15-20, 23-32 and 42-44 remain pending in this application. Claims 1-14, 21, 22 and 33-40 have been cancelled, without prejudice.

Claims 15-20, 23-32 and 42-44 stand provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 15-17 and 21-26 of copending U.S. Application Serial No. 10/869407. Without commenting on the substance of the provisional rejection, Applicant submits that this application should be permitted to issue without the need of a terminal disclaimer as this application is the earlier-filed of the two applications and there is no other grounds of rejection. See MPEP §804.I.B.1.

Applicants grant the PTO permission to charge the deposit account no. 10-0750/BST/HRT0287 for any fees or charges related to this application. Applicant respectfully requests the Examiner to contact the below-signed if a discussion regarding the merits would advance prosecution of this case.

Respectfully submitted,

/Brian S. Tomko/

Brian S. Tomko
Reg. No. 41,349

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-1239
Dated: April 2, 2007